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Attorneys for Defendant
RAMESH "SUNNY" BALWANI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMESH "SUNNY" BALWANI,

Defendant.

Case No. 18-CR-00258-EJD

**DECLARATION OF JEFFREY B.
COOPERSMITH RE: MR. BALWANI'S
OPPOSITION TO MOTION TO
EXCLUDE LIS-RELATED
TESTIMONY AND EVIDENCE BY
RICHARD L. SONNIER, III**

Judge: Honorable Edward J. Davila

DECLARATION OF JEFFREY B. COOPERSMITH

I, Jeffrey B. Coopersmith, declare as follows:

1. I am lead counsel for defendant Ramesh “Sunny” Balwani, an attorney admitted to practice in the State of California, a partner at the law firm of Orrick, Herrington & Sutcliffe LLP, and counsel of record for Mr. Balwani. I submit this declaration in support of Mr. Balwani’s opposition to the government’s motion to exclude LIS-related testimony and evidence by Richard L. Sonnier, III.

2. Attached as **Exhibit 1** is a copy of a May 16, 2022 Memorandum of Interview of Dr. Donald Tschirhart.

3. Attached as **Exhibit 2** is a copy of an August 17–24, 2018 email exchange between James Topinka, David Taylor, and Vinaswathan “Shekar” Chandrasekaran.

4. Attached as **Exhibit 3** is a copy of excerpts from the April 24, 2019 deposition transcripts of Shekar Chandrasekaran.

5. Attached as **Exhibit 4** is a copy of an August 28–29, 2018 email thread among Mr. Chandrasekaran and several Theranos personnel, including Eric Caddenhead.

6. Attached as **Exhibit 5** is a copy of an August 29–30, 2018 email exchange among Mr. Chandrasekaran and several Theranos personnel, including Mr. Caddenhead.

7. Attached as **Exhibit 6** is a copy of a May 23–June 4, 2018 email exchange among Theranos’s outside counsel.

8. Attached as **Exhibit 7** is a copy of Mr. Balwani’s preliminary exhibit list served on the government on November 12, 2021.

9. Attached as **Exhibit 8** is a copy of a November 12, 2021 letter I sent to counsel for the government along with a document production.

I declare under penalty of perjury that the foregoing is true and correct.

Executed May 19, 2022, at San Jose, California.

/s/ Jeffrey B. Coopersmith
JEFFREY B. COOPERSMITH